

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE GREENEVILLE DIVISION

B.P., H.A., and S.H., individually, and on )  
Behalf of all others similarly situated, )  
 )  
Plaintiffs, )  
 )  
VERSUS )  
 )  
CITY OF JOHNSON CITY, TENNESSEE, *et al* )  
 )  
Defendants. )

No. 2:23-cv-00071-TRM-CRW

**MOTION FOR LEAVE TO FILE UNDER SEAL**  
**CERTAIN DOCUMENTS FROM DISCOVERY**

COMES NOW the Defendant, Kevin Peters, in his individual capacity, by and through counsel, and pursuant to LR 37.2 and 26.2(b), and ECF Rule 12.2, and moves the Court for leave to file text messages belatedly produced by now-named-Plaintiff B.P., bates stamped B.P. 000285 and B.P. 000286, along with Pages 208-210 of the deposition of B.P. discussing the timeline of meeting Female 1 and Sean Williams, bearing on her allegations in ¶¶ 23-37 of the Second Amended Complaint (DE 121, PageID# 1778-79). These materials were designated as Confidential under the Joint Protective Order (DE 94), and are likely sensitive to B.P.'s claims of alleged sexual assault and any potential prosecution of Sean Williams for same.

As a practical matter, it would be substantially impossible to redact these materials in a fashion where the Court could sufficiently discern the substance, in order to consider them relevant to the pending Motion and Reply (DE 196, 212).

The text messages are substantially contemporaneous with the date on which Plaintiff B.P.'s alleges she was sexually assaulted, and are communications with her friend who she alleges to have been present at the location, and are appropriate to be sealed from public view.

As a result, Defendant moves the Court for permission to file the limited materials under seal. All parties in this suit have this information.

Respectfully submitted,

MOORE, RADER AND YORK, P. C.

s/DANIEL H. RADER IV, BPR #025998

DANIEL H. RADER IV / BPR #025998

P. O. Box 3347

Cookeville, TN 38502

Phone: (931) 526-3311

[danny@moorerader.com](mailto:danny@moorerader.com)

Attorneys for Kevin Peters, individually

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Ashley Walter  
HMC Civil Rights Law, PLLC  
7000 Executive Center Dr.  
Brentwood, TN 37027  
615-724-1996  
Email: [ashley@hmccivilrights.com](mailto:ashley@hmccivilrights.com)

Caroline Drinnon  
HMC Civil Rights Law, PLLC  
7000 Executive Center Dr.  
Brentwood, TN 37027  
615-724-1996  
Email: [caroline@hmccivilrights.com](mailto:caroline@hmccivilrights.com)

Heather Moore Collins  
HMC Civil Rights Law, PLLC  
7000 Executive Center Dr.  
Suite 320  
Brentwood, TN 37027  
615-724-1996  
Email: [heather@hmccivilrights.com](mailto:heather@hmccivilrights.com)

Vanessa Baehr-Jones  
Advocates for Survivors of Abuse  
4200 Park Blvd., No. 413  
Oakland, CA 94602  
Email: [vanessa@advocatesforsurvivors.com](mailto:vanessa@advocatesforsurvivors.com)  
*Pro Hac Vice Attorney for Plaintiff*

Ms. Elizabeth A. Kramer  
Mr. Kevin M. Osborne  
Erickson, Kramer Osborne LLP  
44 Tehama Street  
San Francisco CA 94105  
(415-635-0631)  
Email: [elizabeth@eko.law](mailto:elizabeth@eko.law)  
Email: [kevin@eko.law](mailto:kevin@eko.law)

Mr. Keith H. Grant  
Mr. Philip Aaron Wells  
Ms. Laura Beth Rufolo  
Robinson, Smith & Wells  
633 Chestnut Street  
Suite 700 Republic Centre  
Chattanooga, TN 37450  
Email: [kgrant@rswlaw.com](mailto:kgrant@rswlaw.com)  
Email: [awells@rswlaw.com](mailto:awells@rswlaw.com)  
Email: [lrufolo@rswlaw.com](mailto:lrufolo@rswlaw.com)

Emily C. Taylor  
Watson Roach Batson & Lauderback  
P. O. Box 131  
Knoxville, TN 37901-0131  
865-637-1700  
Email: [etaylor@watsonroach.com](mailto:etaylor@watsonroach.com)  
*Attorney for the City of Johnson City,  
Tennessee, and Karl Turner, in his  
Individual Capacity*

K. Erickson Herrin  
Herrin McPeak & Associates  
515 E. Unaka Avenue  
P. O. Box 629  
Johnson City, TN 37605-0629  
(423-929-7113)  
*Attorney for the City of Johnson City,  
Tennessee, Karl Turner, in his  
individual and official capacities,  
Toma Sparks, in his official  
capacity, and Kevin Peters, in his  
official capacity*

Thomas J. Garland, Jr.  
Milligan & Coleman, PLLP  
230 W Depot St.  
Greeneville, TN 37743  
Email: [tgarland@milligancoleman.com](mailto:tgarland@milligancoleman.com)  
*Attorney for the City of Johnson City,  
Tennessee, and Karl Turner, in his  
Individual capacity*

Ms. Kristin E. Berexa  
Mr. Benjamin C. Allen  
Farrar Bates Berexa  
[12 Cadillac Drive, Suite 480](#)  
Brentwood, TN 37027  
615-254-3060  
Email: [kberexa@fbb.law](mailto:kberexa@fbb.law)  
[ballen@fbb.law](mailto:ballen@fbb.law)  
*Attorneys for Toma Sparks*

Vanessa Baehr-Jones  
Advocates for Survivors of Abuse PC  
4200 Park Boulevard No. 413  
Oakland, CA 94602  
510-500-9634  
Email: [vanessa@advocatesforsurvivors.com](mailto:vanessa@advocatesforsurvivors.com)

This the 10th day of June, 2024.

MOORE, RADER AND YORK, P. C.

s/DANIEL H. RADER IV, BPR 025998  
DANIEL H. RADER IV / BPR #025998  
P. O. Box 3347  
Cookeville, TN 38502  
(931-526-3311)  
[danny@moorerader.com](mailto:danny@moorerader.com)